

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BENJAMIN FOOTE,

Defendant.

8:16CR365

MEMORANDUM AND ORDER

This matter comes before the Court upon the United States' Motion for Final Order of Forfeiture, ECF No. 35. The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. On June 13, 2017, the Court entered a Preliminary Order of Forfeiture, ECF No. 33, pursuant to the provisions of Title 21, United States Code, Sections 841 and 853, based upon the Defendant's plea of guilty to Count I and the Forfeiture Allegation of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in \$9,132.00 in United States currency was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on June 15, 2017, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on August 15, 2017. ECF No. 34.

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be granted.

Accordingly,

IT IS ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture, ECF No. 35, is hereby sustained.

B. All right, title and interest in and to the \$9,132.00 in United States currency held by any person or entity are hereby forever barred and foreclosed.

C. The \$9,132.00 in United States currency be, and the same hereby is, forfeited to the United States of America.

D. The United States is directed to dispose of said property in accordance with law.

Dated this 15th day of August, 2017.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge